

**PUBLIC MEETING  
May 18, 2010  
MINUTES**

Chairman Mike Murray called the meeting to order at 9 a.m.

Commissioners Derek Brown and Andy Hunthausen were present. Others attending all or a portion of the meeting included Jeff Sealey, K. Paul Stahl, Katie Jerstad, Eric Bryson, Kelly Blake, Greg McNally, Michele Peterson, Michael McHugh, Larry Hoffman, Dallas, Karen and Tiffany Cox, Aaron Helfert, Dean Retz, Mark Simonich, Jack Walsh, Roxa Reller, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge of Allegiance.

Consent Action Items. (Eric Bryson)

- a. Noxious Weed Trust Fund Project Grant Agreement – Upper Sun River Watershed Weed Management Area, No. MDA 2010-011. (Larry Hoffman)
- b. Noxious Weed Trust Fund Project Grant Agreement – Open Space Post Fuel Treatment Weed Mitigation II, No. MDA 2010-012 (Larry Hoffman)
- c. Noxious Weed Trust Fund Project Grant Agreement – Lincoln Valley Snowmobile Trails, No. MDA 2010-704. (Larry Hoffman)

Mr. Bryson reported on the consent action items and recommended approval.

No public comments were received.

Commissioner Brown moved to approve the consent action items and authorized the Chair to sign where appropriate. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Road Naming Request for Road off of Horse Gulch Road. John Hinshaw reported that this road did not receive a majority for a road name as requested by petition. Two approvable names were submitted and staff recommended that Vesta Drive officially be named for a road off of Jimtown Road and Horse Gulch Road.

No public comments were received.

Commissioner Brown moved to approve Vesta Drive as recommended by staff. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Proposed Subsequent Minor Subdivision, Preliminary Plat (Amended Plat of Lot 5 – Tillerson Minor Subdivision. (Applicants: Dallas and Karen Cox) (Planner: Michele Peterson) (Cont'd. from 5-11-10) The Commissioners will consider creating three lots, each for one single-family dwelling. The Applicant is requesting five variances: from fire protection requirements; to allow one double fronted lot; from adjacent and off-site road improvements; from providing two ingress-egress routes; and from requiring the internal access road to be paved. The subject property is generally located north of and

adjacent to Tilly Court and east of and adjacent to Pioneer Park Drive. Staff recommended approval of the subdivision, subject to 19 conditions of approval.

Variance #1 from fire protection standards. Commissioner Hunthausen moved to approve the variance based on the letter from the Fire Chief that the infrastructure in the area is adequate to defend structure fires. Commissioner Brown seconded the motion. The motion carried 3-0.

Variance #2 to allow one double-fronted lot. Commissioner Hunthausen moved to approve the variance. Commissioner Brown seconded the motion. The motion carried 3-0.

Variance #3 from adjacent off-site road improvements. Commissioner Hunthausen moved to approve the variance subject to a condition relating to the existing portion of Tilly Court. Commissioner Brown seconded the motion in principle, but cannot support it entirely.

Commissioner Brown offered a substitute motion to widen Tilly Court to a 24-foot road surface based on the existing construction. Commissioner Hunthausen seconded the motion for discussion. The motion failed 2-1. Commissioners Murray and Hunthausen voted no.

Commissioner Hunthausen's motion carried 2-1. Commissioner Brown voted no.

Variance #4 from providing two ingress/egress routes. Commissioner Hunthausen moved to approve the variance. Commissioner Brown seconded the motion. The motion carried 3-0.

Variance #5 from requiring the internal access road to be paved. Commissioner Hunthausen moved to approve the variance. Commissioner Brown seconded the motion. The motion carried 2-1. Commissioner Murray voted no.

#### Amendments to Conditions of Approval -

Commissioner Brown moved to add condition 19 to the conditions of approval. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Commissioner Hunthausen moved to approve the proposed subdivision subject to 20 conditions of approval as amended and authorized the Chair to sign all appropriate documents. Commissioner Murray seconded the motion. The motion carried 3-0.

Public Hearing Amendments to the Lewis and Clark County Subdivision Regulations.  
(Greg McNally) (Cont'd. from 5-11-10) Greg McNally stated that the public hearing was held on May 11.

Commissioner Brown moved to remove the language in Chapter XI regarding engineering firms prequalified by the County's current statement of qualification and

replace it with "an engineer licensed in the State of Montana." Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Commissioner Brown moved to adopt the recommendations as amended by the consolidated planning board on April 20, 2010. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Request for Extension of Preliminary Plat for Wheat Ridge Estates Phase III Major Subdivision to May 11, 2011. (Applicant: Aaron Helfert) (Planner: Michael McHugh) A major subdivision creating 80 lots for single-family dwellings located in the NW ½ Sec. 36 T10N R2W.


Michael McHugh reported on the applicant's letter dated May 6, 2010 requesting a one-year extension of preliminary plat approval for Phase III.

The Commission took a ten minute break to confer with legal staff regarding whether a previous extension request had been made and granted. Upon reconvening, Commissioner Brown moved to table the item until Thursday, May 20 regular meeting. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:39 a.m.

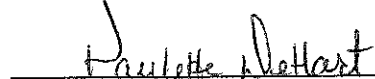
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Michael A. Murray, Chairman

  
Derek Brown

  
Andy Hunthausen

ATTEST:

  
Paulette DeHart, Clerk of the Board